



P/1259-637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fernand LABRIE

Serial No.: 10/052,803

Filed: November 7, 2001

For: **SELECTIVE ESTROGEN RECEPTOR MODULATORS IN COMBINATION WITH ESTROGENS**

Date: October 30, 2006

Confirmation No.: 3989

Group Art Unit: 1617

Examiner: Shaojia A. Jiang

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION AND FEE FOR AUTOMATIC EXTENSION OF TIME  
UNDER 37 CFR 1.17, 1.136(a) AND 35 USC 41(a)8**

Sir:

Applicant(s) hereby petition(s) the Commissioner for Patents to extend the time for filing a response to the outstanding Office Action by 4 months. Please charge our Deposit Account No.15-0700 the amount of \$1,590.00 for the petition fee in accordance with 37 CFR 1.17 computed as:

☒ Response within fourth month

☒ not small entity (\$1,590)

You are authorized to charge to our Deposit Account No. 15-0700 any additional amounts owing.

If this petition is inadequate to avoid abandonment, the Assistant Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

**EXPRESS MAIL CERTIFICATE**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label #EV605026023US) in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: October 30, 2006

William O. Gray, III  
Name of Person Mailing Correspondence

Signature

October 30, 2006

Date of Signature

WOG:jl:db

Respectfully submitted,

William O. Gray, III

Registration No.: 30,944

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

11/01/2006 SSESHE1 00000090 150700 10052803

02 FC:1254

1590.00 DA